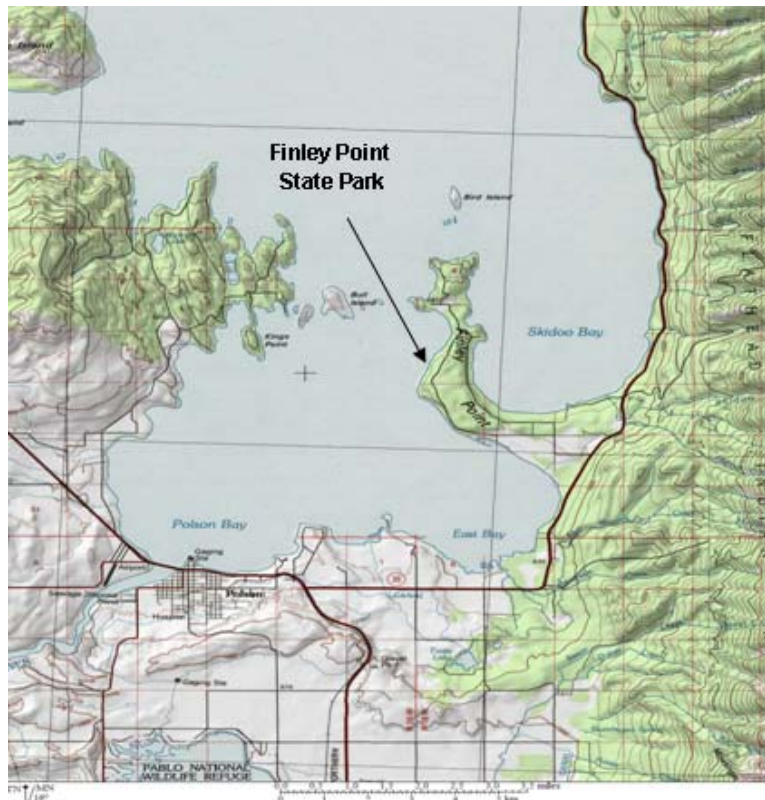


DRAFT

MEPA/NEPA/23-1-110 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of proposed state action:** Stabilization of shoreline to prevent bank erosion
2. **Agency authority for the proposed action:** FWP has the authority to develop outdoor recreational resources in the state per 23-2-101 MCA.
3. **Name of project:** Finley Point State Park Shoreline Stabilization Project
4. **Project sponsor:** FWP has the authority to develop outdoor recreational resources in the state per 23-2-101 MCA.
5. **Approximate timetable:**
Estimated Construction/Commencement Date: April 2009
Estimated Completion Date: April 2009.
Current Status of Project Design (% complete): 50%
6. **Location affected by proposed action (county, township, range, section):**
Lake County, T23N, R19W, Sec. 18



Map of Lower Flathead Lake

7. Project size: Estimate the number of acres that would be directly affected that are currently:

	Acres		Acres
(a) Developed:		(d) Floodplain/Riparian	<u>0</u>
Residential	<u>0</u>		
Industrial	<u>0</u>	(e) Productive:	
		Irrigated cropland	<u>0</u>
(b) Open Space/	<u>0</u>	Dry cropland	<u>0</u>
Woodlands/Recreation		Forestry	<u>0</u>
		Rangeland	<u>0</u>
(c) Wetlands/Riparian Areas	<u>0</u>	Other	<u><1</u>

8. Listing of any other local, state or federal agency that has overlapping or additional jurisdiction:

(a) Permits:

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
Confederated Salish & Kootenai Tribes	Lakeshore Protection Permit	Permits will be filed at least 2 weeks prior to project start.
Lake County	Lakeshore Protection Permit	
US. Army Corps of Engineers (COE)	Section 404 Permit	

(b) Funding:

<u>Agency Name</u>	<u>Funding Amount</u>
Montana Fish, Wildlife & Parks	\$7,500

(c) Other Overlapping or Additional Jurisdictional Responsibilities:

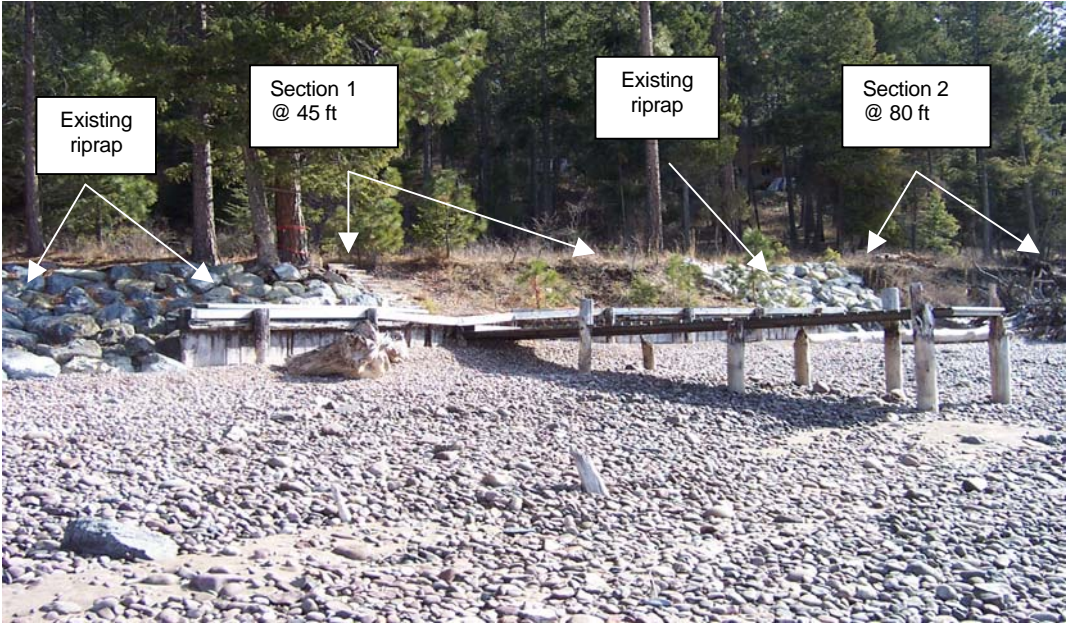
<u>Agency Name</u>	<u>Type of Responsibility</u>
Confederated Salish & Kootenai Tribes	Cultural Site Protection
Montana State Historical Preservation Office	Archeological & Cultural Site Protection

9. Narrative Summary of the Proposed Action or Project Including the Benefits and Purpose of the Proposed Action:

Finley Point State Park is located on the southeast shore of Flathead Lake, approximately 6 miles to the north of Polson, Montana, and 25 miles south of Bigfork on State Highway 35 (Appendix A-1). In the past, storms have caused significant loss of shoreline and park acreage. In 1993, the cumulative effects of this erosional action, which included loss of 35 feet of horizontal land to erosion, necessitated the construction of a 500-ft concrete breakwall and additional riprap along the shoreline of the park. Due to limited funding for the previous shoreline stabilization project, an existing wood breakwall and fixed dock were left in place, and sections of shoreline near the south boundary were not protected. Since then, the dock and wall both have

deteriorated, and the wooden planks and pilings have rotted out in numerous places along their lengths. The dock became unsafe for use by the public and was removed in 2007. The wall will soon experience total failure, resulting in the loss of bank integrity. Additionally, erosion of the shoreline is occurring on the remaining unprotected section of the shoreline south of the breakwall, resulting in continued loss of bank material and exposure of tree roots.

The proposed action is to remove and replace the deteriorating wooden breakwall with rock and other natural materials in order to maintain bank integrity. Likewise, the section of shoreline to the south would be protected with similar materials. The first section of control measures would extend for approximately 45 feet. The second section would protect the shoreline to the park's south boundary, a length of approximately 80 feet.



Photos 1 & 2. Wooden breakwall, dock (removed 2007), and areas of proposed control measures.



Depending on the alternative chosen, rock of various sizes and shapes (12-24 inches across) and/or large logs and tree root balls would be used to fill the space left by removal of the breakwall and to cover the remaining length of unprotected shoreline. Implementation would occur by using a small excavator to place materials onto the shoreline bank from above and below. Some minimal excavation and bank sloping may be necessary in some areas to prepare the shoreline and to key the rocks and logs into the subsurface of the bank. The excavator will access the area via the least impacted off-road route. The areas disturbed by the equipment used during the project will be revegetated with native shrubs and grasses and monitored for development of noxious weeds. Depending on the alternative action selected, filter fabric may be placed between the bank and rock to retain sediments. Construction will occur in the spring, when water levels are down.

Benefits of the proposed action include protection of the shoreline bank from further erosion and subsequent loss of actual park grounds. Although the project is considered minor in scale, erosion prevention will minimize sediments from being washed into the lake and reduce turbidity along the immediate shoreline. Remaining bank vegetation would be protected and loss of trees due to root exposure reduced. Additionally, growth and reestablishment of shrubs and grasses would not be inhibited by continued loss of soil.



Photo 3. Deteriorating breakwall.

10. Alternatives:

Alternative 1. No Action.

The no-action alternative would result in the eventual collapse of the existing breakwall. This would expose the bank to further erosional forces, producing increased siltation and loss of water quality and the continued loss of park land. Additionally, the unprotected section of the shoreline to the south would continue to experience erosion from wave action, with progressive loss of bank material, and would eventually lead to exposure of tree roots and loss of trees as the bank collapses. The existing seawall would present a public safety hazard, as it remains unstable and jagged pieces of the wall are a potential danger. This in itself presents a legal liability to the Department.

Alternative 2. Replace wooden breakwall structure with concrete wall; riprap remaining section of shoreline.

Construction of a concrete replacement wall would be the most costly of the proposed alternatives in terms of materials and labor and would produce the highest initial disturbance to the shoreline due to construction

techniques. The major benefit is that it would have a longer life span and with proper design, minimal maintenance. The disadvantage of this proposal is that concrete breakwalls are controversial from an aesthetic and initial cost standpoint and because of the effects of the wall on the movement of sand and gravel along the shoreline due to a shift in wave energy. Additionally, without further engineering measures, such as forewall riprap, breakwalls can become undercut by large waves, and scouring can occur on the backside of the wall. Riprap on the remaining section to the south would be consistent with existing riprap. This measure would prevent further erosion and require little if any maintenance.

Alternative 3. Replace existing wood breakwall with the same materials; riprap remaining section of shoreline.

This alternative would require a higher level of maintenance and periodic replacement. Tribal Lakeshore Protection regulations prohibit use of treated lumber. Although less costly than a concrete wall, a new structure made of wood materials would only be expected to last 10-15 years, with increasing reduction of effectiveness thereafter as materials deteriorate. Consequently, this strategy would result in higher maintenance costs over time as materials degrade and need to be replaced. It would also have similar effects on movement of shoreline materials to that of a concrete breakwall. Depending on wind/wave direction, sand/gravel deposition could occur along the shoreline of adjacent landowners. Additionally, it is anticipated that total replacement would be needed at the end of the aforementioned lifespan, with subsequent redisturbance of the area. The advantage of wood lies in its aesthetic character and reduced construction cost.

The placement of riprap along the remaining section of shoreline would protect the bank from further deterioration. Disadvantages include expense of additional rock and construction. Advantages would be minimal maintenance over time and no replacement cost.

Alternative 4. Riprap entire length of project area.

This alternative would be a continuation of the existing riprap design (see photo below) along the entire length of unprotected shoreline. It is designed to cover the area from the high water mark to the top of the bank. Bank heights along this particular section of shoreline vary from 6-8 feet. It would last indefinitely, require little or no maintenance, and provide a comparable level of shoreline protection to aforementioned alternatives. The measure would result in some disturbance to the bank during placement of rocks, but less than construction of a breakwall that would require excavation. The result would be less short-term siltation than previous alternatives, where a section of breakwall would be constructed. Additionally, the sloping riprap would have less effect on shoreline material movement to adjacent areas than a breakwall. Disadvantages would include cost of rocks and hauling of materials. Also, because of the height of the shoreline bank, it would be highly visible from considerable distances when viewed from the water.

Example of existing riprap.



Alternative 5: Develop erosion control measures that promote a more natural shoreline environment with limited use of riprap. (preferred alternative)

This alternative would require 2 steps. The first step would utilize large tree logs, root balls, and washed fill material to stabilize the collapsing bank sections to the south of the wooden seawall (Photo #1). These would be embedded into the ground approximately 1/3 their height, at the base of the sloping bank at or near the high water mark. This would prevent movement during high wave activity. Additional gravel material consisting of washed rock ranging roughly from 2 to 3 inches would be used to fill in voids behind and between the log materials. Although some shifting of loose materials may occur, most of the material would remain. At present, where naturally embedded materials exist at the high water mark, the bank is stabilized. In sections where no material is present to break the wave energy, part of the bank has been washed away, creating pockets with steep banks that are easily eroded.

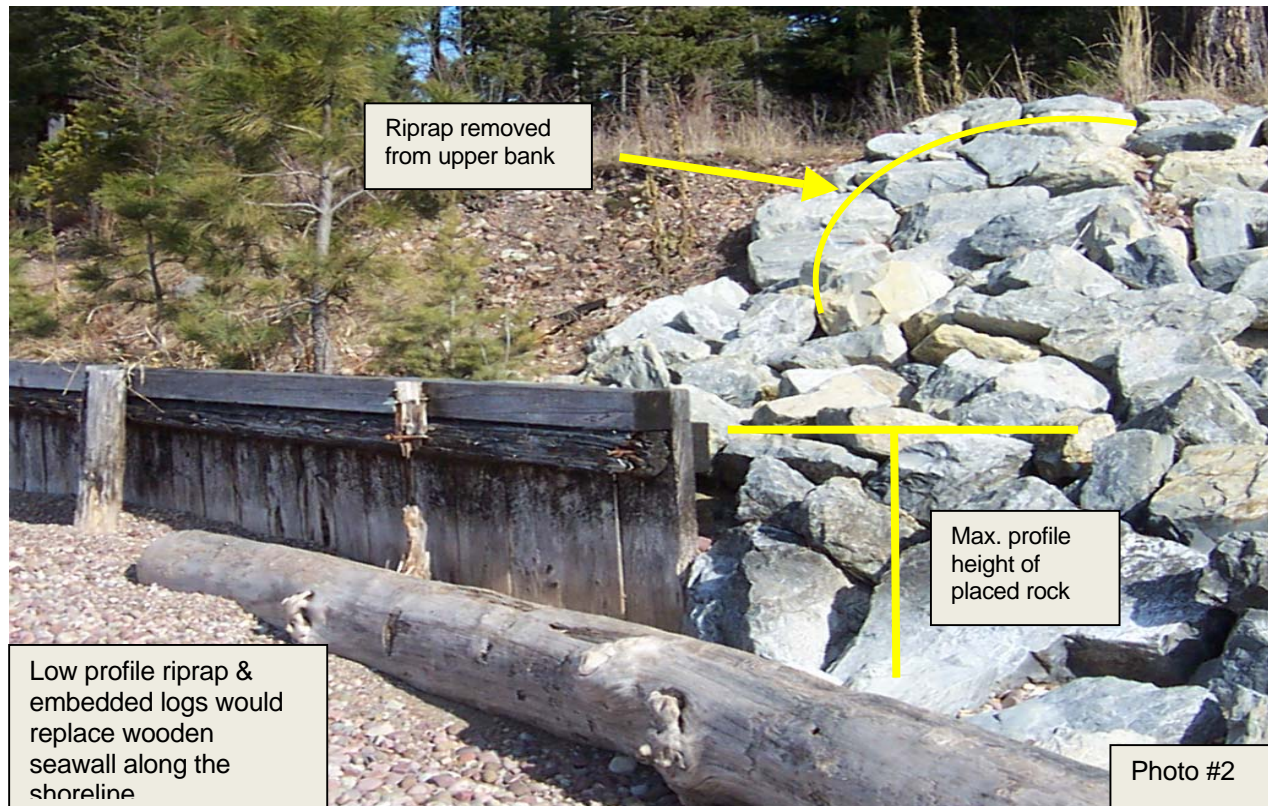


In the second step, the wooden deteriorating seawall would be replaced with low profile riprap. Existing riprap from approximately 2 feet above the high water mark would be removed and placed along the shoreline where the current wooden seawall is located (Photo #2). The rock would not be higher than the existing wall and would be supplemented with tree logs at its base.

One advantage of this alternative is that costs would be reduced significantly. Use of existing placed rock would not affect the current section's erosion protection effectiveness, as the current high profile is more than that which would be required to protect the bank. Wave energy is dissipated in the first few feet, and above that threshold additional rock is not required as long as the bank is secured with vegetation. Another advantage is that, visually, the lower profile rock will be less visible from the water and more closely mimic natural shoreline features.

Tree logs and root systems would be acquired from Yellow Bay State Park, where winter storms created significant blowdown. Savings would result from the reduced cost of disposal of blowdown material at Yellow Bay and the reduction of cost for materials at Finley Point.

The primary disadvantage of this alternative is that bank protection may be lost and stabilization compromised over time as organic materials deteriorate and as some fill gravels are removed by wave action. Consequently periodic maintenance may be required and materials replaced. Although not as permanent a solution as some alternatives, it is anticipated that because of their size, logs and tree root materials will last 15-20 years. To help mitigate bank soil loss, it is further proposed as part of this alternative to revegetate the upper portion of the bank to aid in its stabilization.



One disadvantage to note is that the effectiveness of this type of proposal is unknown. Although there are several drawbacks, riprap and concrete walls work to control erosion. For this alternative, protection measures for some portions of shoreline sections will not last as long or be as effective as higher profile complete rock riprap or concrete breakwall. The advantage is a lower initial project cost and a more natural-looking shoreline. As Flathead Lake becomes more developed, there is a major initiative between private and public interests to retain its natural shoreline character. Dynamic beach-designed projects have been used around Flathead Lake with success. Although not a true dynamic beach solution, this alternative would be viewed as a shift away from traditional erosion control measures to one that more closely resembles natural shorelines and at least partially allows for natural beach processes to function. It would in effect be a pilot project for Parks that, if results are successful, might be considered in future shoreline stabilization proposals at other water-based parks around Flathead Lake.

PART II. ENVIRONMENTAL REVIEW

1. Evaluation of the impacts of the Preferred Alternative, including secondary and cumulative impacts on the Physical and Human Environment.

PHYSICAL ENVIRONMENT

1. <u>LAND RESOURCES</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Soil instability or changes in geologic substructure?			x		yes	1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil, which would reduce productivity or fertility?			x		yes	1b.
c. Destruction, covering, or modification of any unique geologic or physical features?		x				
d. Changes in siltation, deposition, or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			x			1d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		x				
f. Other						

1a & b. The removal of the wall and placement of rocks and logs will initially result in some minor displacement of bank material. However, once in place the rock and logs would stabilize the bank and eroded material would be minimal. Without the project, wave action against the bank would cause severe erosion damage with resultant loss of large quantities of bank material and exposure of roots leading to collapse of standing trees as banks destabilize.

1d. There will be short-term soil disruption with removal of the wall and placement of the rocks and any fabric along the bank. The proposed action will diminish siltation and improve deposition along the shoreline and reduce erosion problems by creating a wave barrier at high water levels. The use of filter fabric will allow water to pass through the riprap, but will prevent the filtration of fines and sediments back into the lake.

PHYSICAL ENVIRONMENT

2. <u>AIR</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Emission of air pollutants or deterioration of ambient air quality? (Also see 13c)			x		yes	2a.
b. Creation of objectionable odors?			x		yes	2b.
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		x				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		x				
e. <u>For P-R/D-J projects</u> , will the project result in any discharge, which will conflict with federal or state air quality regs? (Also see 2a)		x				
f. Other						

2a & b. There will be emissions of exhaust fumes from the construction equipment during the working period. The work will take place in the early spring when the lake water level is drawn down and the state park is closed. Homes to the north and south are primarily occupied during the summer or on weekends, and owners should not be affected.

PHYSICAL ENVIRONMENT

3. <u>WATER</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Discharge into surface water or any alteration of surface water quality, including but not limited to temperature, dissolved oxygen, or turbidity?			x		yes	3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?		x				
c. Alteration of the course or magnitude of floodwater or other flows?		x				
d. Changes in the amount of surface water in any water body or creation of a new water body?		x				
e. Exposure of people or property to water-related hazards such as flooding?		x				
f. Changes in the quality of groundwater?		x				
g. Changes in the quantity of groundwater?		x				
h. Increase in risk of contamination of surface or groundwater?		x				
i. Effects on any existing water right or reservation?		x				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		x				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		x				
l. For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)			x			3l.
m. For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		x				
n. Other:						

3a. There may be minor short-term water turbidity when the water level rises to full pool and washes the excess fine materials, loosened from rock and/or log placement, back into the lake. Mitigation measures entail performing the work in the spring when the water level is down to minimize runoff. The construction equipment will be kept above the bank when possible so as to prevent disturbance of the area below the high water mark. Any ruts below the high water mark will be smoothed, although it should be noted the area is characterized by large cobble, and effects of equipment on surfaces should be minimal. Equipment will be checked for leakage of fluids prior to any work requiring travel below the high water mark.

3l. The proposed project would be located within an area designated a 100-year floodplain. However, the intent of the project is to maintain the historic floodplain zone, which is being altered by unnaturally high water levels caused by the operation of Kerr Dam. The dam regulates the level of the upper ten vertical feet of water on Flathead Lake.

PHYSICAL ENVIRONMENT

4. <u>VEGETATION</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Changes in the diversity, productivity, or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?			x		yes	4a.
b. Alteration of a plant community?		x				
c. Adverse effects on any unique, rare, threatened, or endangered species?		x				
d. Reduction in acreage or productivity of any agricultural land?		x				
e. Establishment or spread of noxious weeds?			x		yes	4e.
f. For P-R/D-J, will the project affect wetlands or prime and unique farmland?		x				
g. Other:						

4a. Placement of rock in the area of the wooden breakwall will require removal of approximately 6 small ponderosa pine trees (1-2" dia.) growing out of the bank within a few inches of the wall. Small clumps of grass will be lost when rocks are put in place. It should be noted that this vegetation would not be sufficient to stabilize the bank once the wall is removed and would be lost regardless by erosion and subsequent bank collapse due to wave action. Additionally, there will be minor disturbance of soils and vegetation where bank sloping is necessary and as equipment moves above and along the bank to place the materials. Mitigation will involve raking and smoothing of tread tracks and reseeding the disturbed areas.

4e. Use of equipment for delivering materials to the work site will require off-road travel across the forest floor to a location close to the edge of the bank. This action will result in some disturbance of soil, shrubs, and grasses. It is possible that noxious weeds could develop where the soil has been disturbed. Mitigating action will include reseeding of disturbed areas with native species and monitoring for growth of noxious weeds. Any noxious weeds that develop will be eradicated following methods approved by the FWP Regional Weed Plan.

PHYSICAL ENVIRONMENT

5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?		X				
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of nongame species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest, or other human activity)?		X				
h. For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		X				
i. For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		X				
j. Other:						

The project will not have any impacts on fish or wildlife. Some bank material may be washed into the lake, but is considered negligible. Construction will occur at low water and consequently little if any turbidity is expected as a result.

HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Increases in existing noise levels?			x		yes	6a.
b. Exposure of people to severe or nuisance noise levels?			x		yes	6b.
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		x				
d. Interference with radio or television reception and operation?		x				
e. Other:						

6a & b. There will be a temporary increase in noise levels caused by construction equipment such as a backhoe, an excavator, and trucks. The work will be performed in the early spring when the park is closed and the adjacent homes to the north and south are less likely to be occupied.

HUMAN ENVIRONMENT

7. <u>LAND USE</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		x				
b. Conflict with a designated natural area or area of unusual scientific or educational importance?		x				
c. Conflict with any existing land use, the presence of which would constrain or potentially prohibit the proposed action?		x				7c.
d. Adverse effects on or relocation of residences?		x				
e. Other: _____						

7c. All work will occur while the park is closed for the season; consequently, there will be no conflict with normal park operations and visitation.

HUMAN ENVIRONMENT

8. <u>RISK/HEALTH HAZARDS</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?		X				
d. <u>For P-R/D-J</u> , will any chemical toxicants be used? (Also see 8a)		X				
e. Other:						

No health hazards are foreseen. The risk of injury from the deteriorating wooden breakwall would be reduced with its replacement.

HUMAN ENVIRONMENT

9. <u>COMMUNITY IMPACT</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other:						

No community impacts are anticipated during the course of the project.

HUMAN ENVIRONMENT

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Will the proposed action have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify: _____		X				
b. Will the proposed action have an effect upon the local or state tax base and revenues?		X				
c. Will the proposed action result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Will the proposed action result in increased used of any energy source?		X				
e. Define projected revenue sources						10e.
f. Define projected maintenance costs.		X				
g. Other: _____						

10e & f. Funded through major maintenance budget: \$10,000-\$18,000, depending on alternative. Maintenance costs will be minimal through the life of the materials. Rock will require no maintenance. Large logs and roots will need to be replaced every 15-25 years. Additional washed gravel fill may or may not be required depending on effectiveness of the control measures.

HUMAN ENVIRONMENT

11. <u>AESTHETICS/RECREATION</u>	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?			X			11a.
b. Alteration of the aesthetic character of a community or neighborhood?		X				
c. Alteration of the quality or quantity of recreational/ tourism opportunities and settings? (Attach Tourism Report)		X				
d. <u>For P-R/D-J</u> , will any designated or proposed wild or scenic rivers, trails, or wilderness areas be impacted? (Also see 11a, 11c)		X				
e. Other:						

11a. There may be a minor alteration to the aesthetics of the area with the addition of rock and log material. However, this change will have little effect on the total visual character of the area since the majority of the Park's shoreline has previously undergone high profile bank stabilization measures, including a concrete breakwall and riprap.

HUMAN ENVIRONMENT

12. <u>CULTURAL/HISTORICAL RESOURCES</u> Will the proposed action result in:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Destruction or alteration of any site, structure, or object of prehistoric, historic, or paleontological importance?		X				
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. <u>For P-R/D-J</u> , will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12a)		X				12d.
e. Other:						

12d. Cultural/historical reviews for previous park projects in this area have indicated no resources of this nature will be affected. SHPO and the Confederated Salish and Kootenai Tribes will have additional opportunity to comment on this project.

During the preparation of the 1993 shoreline stabilization project EA, it was determined that no historic or cultural resources would be affected. Although this will be reevaluated, that determination is not expected to change since the project will occur in the same general location (Appendix B).

HUMAN ENVIRONMENT

13. <u>SUMMARY EVALUATION OF SIGNIFICANCE</u> Will the proposed action, considered as a whole:	IMPACT				Can Impact Be Mitigated	Comment Index
	Unknown	None	Minor	Potentially Significant		
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources, which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects, which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard, or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		X				
g. For P-R/D-J, list any federal or state permits required.			X			13g.

13g. Permits required include:

- Confederated Salish & Kootenai Tribal Lakeshore Construction Permit
- Army Corp. of Engineers (COE) 404 Permit
- Lake County Land Services Shoreline Construction Permit

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

All contracts will comply with FWP, FRDO, and COE specifications, time frames, and bidding procedures. Work will be scheduled to minimize impacts to park visitors, adjacent residents, and impacts to the environment. All applicable permits will be obtained prior to start of the project.

If the cultural resource inventory identifies any previously unknown historic sites in the project area, FWP will work with SHPO, FWP's cultural resource specialist, and the CSKT Preservation Office to discuss alternatives to ensure culturally sensitive areas are not disturbed.

PART III. NARRATIVE EVALUATION AND COMMENT

The proposed stabilization project is expected to halt further erosion of the shoreline and resultant loss of valuable park land. With an already limited useable area, any continued loss of measurable acreage will only further limit opportunities for visitors. Without the project, the erosion process will continue until a natural stabilization point is reached. However, where that might be is currently unknown, and what is lost cannot be regained. Shoreline regulations prohibit backfilling of eroded areas. At present only a small portion of the lake frontage is flat enough in this location to be useable for walking along the shoreline or for lake access. Inaction will result in undercutting of slopes with resultant high, steep banks. This will make water access difficult if not impossible and foot travel along the bank edge risky. This will also affect opportunities for small boats, canoes, or kayaks to land in close proximity to marine campsites and will limit shoreline fishing and swimming opportunities. Additionally, some large ponderosa pine trees currently used by osprey and other birds may be lost as roots are exposed and banks collapse.

As previously stated, although there are several drawbacks, riprap and concrete walls do work to control erosion. The key advantage of the preferred alternative, however, is a lower initial project cost and a more natural-looking shoreline. As Flathead Lake becomes more developed, there is a major initiative between private and public interests to retain its natural shoreline character. Dynamic beach-designed projects have been used around Flathead Lake with some success. Although this is not a dynamic beach solution in the true sense, the preferred alternative would be a shift away from traditional erosion control measures and would more closely mimic natural shoreline features. This would be a pilot project where, if results are positive, it might be adopted elsewhere. Additionally, the scope of this project would have only minor additional effects on a shoreline that is already highly developed. The size of rocks utilized will be kept to a range that is no larger than what was used in previous projects. The use of tree materials will further enhance a more natural look.

PART IV. PUBLIC PARTICIPATION

1. Public involvement:

The public will be notified in the following manners to comment on this current EA, the proposed action, and alternatives:

- Two public notices in each of these papers: *Helena Independent Record*, *Daily Inter Lake*, and the *Lake County Leader*.
- One statewide press release.
- Public notice on the Fish, Wildlife & Parks web site: <http://fwp.mt.gov>.

This level of public notice and participation is appropriate for a project of this scope, having few minor impacts, many of which can be mitigated

2. Duration of comment period:

The public comment period will extend for (30) thirty days following the publication of the second legal notice in area newspapers. Written comments will be accepted until 5:00 p.m., April 4, 2009, and can be mailed to the address below:

Finley Point Shoreline Stabilization Project
Montana Fish, Wildlife & Parks
Region 1 Headquarters
490 N. Meridian Road
Kalispell, MT 59901

Or e-mail comments to: jsawyer@mt.gov

PART V. EA PREPARATION

- 1. Based on the significance criteria evaluated in this EA, is an EIS required? (YES/NO)?
If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action.**

Based on the criteria provided by MEPA Model Rule III to assess if an EIS is required, this environmental review revealed no significant negative impacts will be created from the proposed action. Therefore, an EIS is not necessary and an EA is the appropriate level of analysis.

- 2. Persons responsible for preparing the EA:**

Jerry Sawyer, Park Manager
Flathead Lake District
Fish, Wildlife & Parks
490 N. Meridian Road
Kalispell, MT 59901

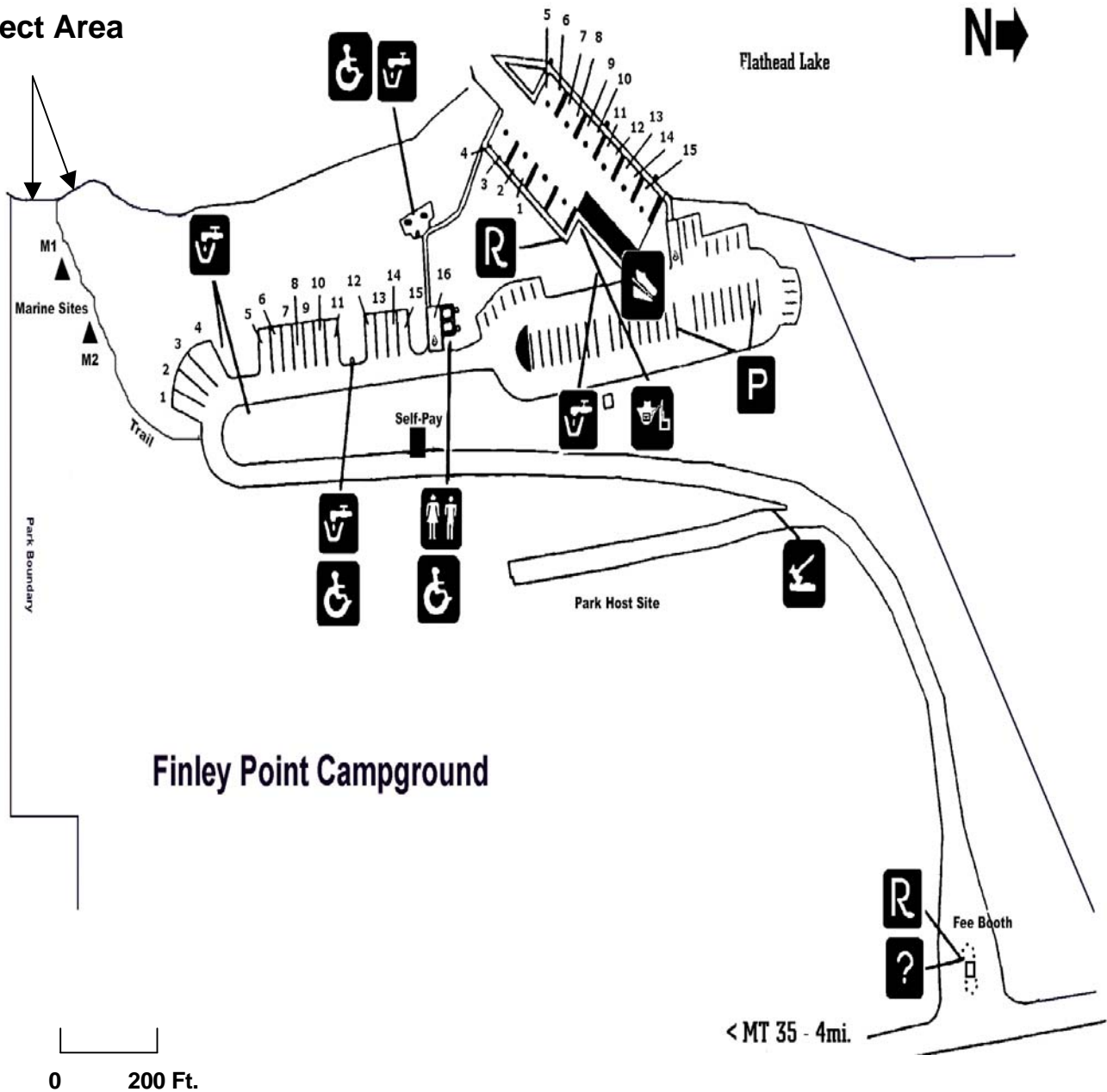
APPENDICES

- A. Finley Point State Park Map
- B. State Historic Preservation Office – Recommendation Letter
- C. Department of Commerce - Tourism Report
- D. Example of project rock size
- E. Project Qualification List

APPENDICES

APPENDIX A

Project Area



Map of Finley Point State Park

APPENDIX B

- SHPO CLEARANCE LETTER - Pending

APPENDIX C

- **TOURISM REPORT – Pending**

APPENDIX D



**Example of project rock size
(Hat shown for size reference.)**

APPENDIX E

PROJECT QUALIFICATION CHECKLIST 23-1-110 MCA

Date: 02/20/09

Person Reviewing: Jerry Sawyer

Project Location: Finley Point State Park

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under 23-1-110 rules. (Please check all that apply and comment as necessary.) Capital Construction Projects - Prepared by D & C; Force Account Projects – Prepared by Region.

☐ A. New roadway or trail built over undisturbed land?

Comments:

☐ B. New building construction (buildings, 100sf and vault toilets exempt)?

Comments:

☐ C. Any excavation of 20 c.y. or greater?

Comments:

☐ D. New parking lots built over undisturbed land or expansion of existing lot that increase parking capacity by 25% or more?

Comments:

☒ E. Any new shoreline alteration that exceeds a doublewide boat ramp or handicapped fishing station?

Comments: Erosion control measures consisting of low profile riprap and logs embedded at the high water mark for approximately 125 feet of shoreline.

☐ F. Any new construction into lakes, reservoirs or streams?

Comments:

☐ G. Any new construction in an area with National Registry-quality cultural artifacts (as determined by the State Historic Preservation Office)?

Comments:

☐ H. Any new above ground utility lines?

Comments:

☐ I. Any increase or decrease in campsites of over 25% or more of existing number of campsite?

Comments:

☐ J. Proposed project significantly changes the existing features or use patterns; including the effects of a series of individual projects.

Comments:

IF ANY OF THE ABOVE ARE CHECKED, 23-1-110 MCA RULES APPLY TO THIS PROPOSED WORK.